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1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
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6 IN RE IPHONE APPLICATION LITIG. Case No.  
5:11-MD-02250-LHK  
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14 VIDEOTAPED DEPOSITION OF ALEJANDRO CAPIRO  
15 PALO ALTO, CALIFORNIA  
16 MONDAY, OCTOBER 29, 2012  
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22  
23

24 REPORTED BY:  
CYNTHIA MANNING, CSR NO. 7645, CLR, CCRR  
25 JOB NO. 54996

1 Isabella that you purchased for yourself?

2 A. Yes.

3 Q. So everybody got an iPhone 4, black, 16  
4 gigabyte?

5 A. Correct.

6 Q. And you would have paid the same amount for  
7 each of those phones?

8 A. Correct.

9 Q. And what led to your decision to switch  
10 from your prior phone and purchase an iPhone in  
11 December 2010?

12 A. My kids wouldn't stop bothering me. You  
13 know, it's the hip thing with young kinds to want an  
14 iPhone. So I acquiesced after, you know -- give up  
15 the battle so you don't have to fight the war.

16 Q. So initially, your kids were pushing to get  
17 an iPhone for their own use?

18 A. Correct, and also we had very bad reception  
19 with Sprint.

20 Q. And I think you indicated the Sprint  
21 contract had expired --

22 A. Correct.

23 Q. -- shortly before you --

24 A. I believe so.

25 Q. -- switched to the iPhone?

## 1                   DECLARATION UNDER PENALTY OF PERJURY

2  
3           I, ALEJANDRO CAPIRO, do hereby certify under  
4 penalty of perjury that I have read the foregoing  
5 transcript of my deposition taken on October 29,  
6 2012; that I have made such corrections as appear  
7 noted herein in ink, initialed by me; that my  
8 testimony as contained herein, as corrected, is true  
9 and correct.

10  
11                   DATED this                   day of  
12 2012, at   , California.

13  
14  
15  
16   \_\_\_\_\_  
ALEJANDRO CAPIRO

1 STATE OF CALIFORNIA )

2 :SS

3 COUNTY OF SAN MATEO )

4 I, CYNTHIA MANNING, a Certified Shorthand  
5 Reporter of the State of California, do hereby  
6 certify:

7 That the foregoing proceedings were taken  
8 before me at the time and place herein set forth;  
9 that any witnesses in the foregoing proceedings,  
10 prior to testifying, were placed under oath; that a  
11 verbatim record of the proceedings was made by me  
12 using machine shorthand which was thereafter  
13 transcribed under my direction; further, that the  
14 foregoing is an accurate transcription thereof.

15 I further certify that I am neither  
16 financially interested in the action, nor a relative  
17 or employee of any attorney of any of the parties.

18  
19 IN WITNESS WHEREOF, I have subscribed my  
20 name this 8th day of November 2012.

21

22



23

CYNTHIA MANNING, CSR No. 7645, CCRR, CLR

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25

1 IN THE MATTER OF: In Re iPhone Application  
 2 Litigation  
 3

4 Date: October 30, 2012

5 Witness: ALEJANDRO CAPIRO

6 Reason codes:

- 7 1. To clarify the record.  
 8 2. To conform to the facts.  
 9 3. To correct transcription errors.

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 ALEJANDRO CAPIRO